

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TOWN OF HALFMOON et al.,

Plaintiffs,

v.

Case No. 1:09-cv-0228, DNH-CFH

GENERAL ELECTRIC COMPANY,

Defendant.

SARATOGA COUNTY WATER AUTHORITY,

Plaintiff,

v.

Case No. 1:11-cv-006, DNH-CFH

GENERAL ELECTRIC COMPANY,

Defendant.

RETURN DATE:
December 5, 2014

**ORAL ARGUMENT
REQUESTED**

**GENERAL ELECTRIC COMPANY'S NOTICE OF MOTION TO
EXCLUDE CERTAIN OPINIONS OF KIRK W. BROWN, Ph.D.**

To all parties and their counsel of record:

PLEASE TAKE NOTICE THAT Defendant General Electric Company ("GE"), by and through its undersigned counsel and pursuant to Rules 104 and 702 of the Federal Rules of Evidence, will move this Court on December 5, 2014 at 10:00 a.m., or as soon thereafter as counsel can be heard in the courtroom of Hon. David N. Hurd in the United States District Court

for the Northern District of New York in Utica, New York, for the exclusion of certain opinions of Kirk W. Brown, Ph.D.

This Motion is based on this Motion and the accompanying Memorandum of Law, Declaration of William J. Bachman dated August 8, 2014 and exhibits, and such other evidence and argument as the Court may consider.

Defendant GE requests the opportunity to present oral argument regarding this Motion.

WHEREFORE, General Electric Company respectfully requests that the Court enter an Order excluding certain opinions of Kirk W. Brown, Ph.D.

Dated: August 8, 2014

Respectfully Submitted

/s/ Steven R. Kuney

Steven R. Kuney, Esquire (*pro hac vice*)

Joseph G. Petrosinelli (Bar No. 506753)

Robert J. Shaughnessy (*pro hac vice*)

William J. Bachman, Esquire (*pro hac vice*)

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I HEREBY CERTIFY that on this 8th day of August, 2014, a true copy of the foregoing **Notice of Motion to Exclude Certain Opinions of Kirk W. Brown, Ph.D.** was served electronically on the following counsel of record:

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/s/ William J. Bachman
William J. Bachman